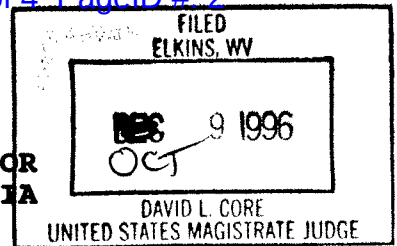


IN THE UNITED STATES DISTRICT COURT FOR
THE NORTHERN DISTRICT OF WEST VIRGINIA



UNITED STATES OF AMERICA,
Plaintiff

v.

MAGISTRATE CASE NO. 1:96m 26

FLOYD RAYMOND LOOKER, a/k/a Ray,
TERRELL P. COON a/k/a Terry,
Defendants.

AFFIDAVIT OF SPECIAL AGENT IN SUPPORT OF CRIMINAL COMPLAINT

The Affiant, J. C. Raffety, being duly sworn, hereby deposes and states the following:

The Affiant is a Special Agent of the Federal Bureau of Investigation and has been so employed for twenty-six years. He is currently assigned to the Clarksburg, West Virginia, Resident Agency, Pittsburgh Division, Federal Bureau of Investigation.

The following are facts developed relative to an Unlawful Interstate Transportation of Explosives investigation which has been conducted by the Affiant and other Federal Bureau of Investigation agents during the course of their official duties.

Since on or about August 31, 1995, the Affiant and other Special Agents of the Federal Bureau of Investigation have been conducting an investigation into attempts by Floyd Raymond Looker, a/k/a Ray (hereinafter referred to as Looker), to obtain explosives for purposes related to Looker's position as commanding general of the West Virginia Mountaineer Militia. During the course of this investigation, evidence of illegal conduct by Terrell P. Coon a/k/a Terry (hereinafter referred to as Coon) has been obtained.

This investigation has been covert to date and has been assisted by two individuals working in undercover capacities. The first of these individuals is not a regular employee of the Federal Bureau of Investigation and has purported to be a trusted associate of Looker and other persons. This individual is identified in this affidavit as the Cooperative Witness. The information contained in this affidavit which is indicated as having originated with the Cooperative Witness has been told to the Affiant by the Cooperative Witness. The Cooperative Witness

has consensually taped recorded numerous conversations in which he has participated and he has provided to the Affiant objects and documents which have come into his possession. On occasions, the movements of the Cooperative Witness and persons under investigation have been surveilled by Special Agents of the Federal Bureau of Investigation. The Cooperative Witness has consistently demonstrated reliability and trustworthiness in his cooperation with the Affiant. The second person who has assisted in an undercover capacity is a Special Agent of the Federal Bureau of Investigation who has posed as a broker for explosives. The work of this Special Agent has enabled the Affiant to obtain possession of dangerous materials for the purpose of controlling the potential harm which could have been caused thereby and has enabled the Affiant to collect evidence of the activities and intent of the persons under investigation. This Special Agent is trained and experienced in undercover operations and is hereafter referred to as the Undercover Special Agent.

On or about August 31, 1995, Looker instructed the Cooperative Witness to pursue obtaining explosives from Coon, who resides in or near the City of Waynesburg, Greene County, Pennsylvania. Looker described Coon to the Cooperative Witness as a militia sympathizer.

On September 1, 1995, the Cooperative Witness called from Harrison County, West Virginia, and talked to Coon at Coon's residence in Pennsylvania. During this telephone conversation, the Cooperative Witness made arrangements to meet Coon at 6:00 p.m. on September 6, 1995, at the Hardee's Restaurant, Waynesburg, Greene County, Pennsylvania, for the purpose of receiving explosives.

On September 6, 1995, at approximately 6:00 p.m., the Cooperative Witness met with Coon as previously arranged. This meeting was physically surveilled by the Affiant and by other Special Agents of the Federal Bureau of Investigation.

The Cooperative Witness accompanied Coon to Coon's residence which is a single family dwelling, the address of which is RD #4, Box 264-A, Waynesburg, Greene County, Pennsylvania 15370.

During these contacts between Coon and the Cooperative Witness, Coon knew that the Cooperative Witness was Looker's associate from West Virginia. Coon provided the below listed items to the Cooperative Witness for transportation to West Virginia and delivery to Looker:

- 1) Olive green metal ammunition box containing eleven (11) sticks C-4 plastic explosive measuring 10"x2"x1 labeled "charged demolition M-112".
- 2) Six (6) olive green containers with yellow lettering

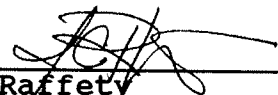
(3½" x 1½" x 1½") labeled "high explosive TNT one-half pound net dangerous"

- 3) One (1) Savage Model 220A, 12 gauge shotgun with a 16-inch barrel and an overall length of 25 inches (the firearm did not have a serial number).
- 4) Numerous additional civilian and military explosives-related materials including electric blasting caps/blasting fuses, firing devices, detonation cord, and blasting machines.

On September 11, 1995, the Undercover Special Agent negotiated the purchase of these explosives and explosive-related materials from Looker agreeing on a price of \$1,300 cash.

On September 14, 1995, Looker, utilizing the Cooperative Witness as a "middleman," believed that he caused the transfer of the explosives and explosive-related materials to the Undercover Special Agent and received \$1,300 cash payment therefor. These items are retained as evidence by the Pittsburgh Division, Federal Bureau of Investigation. (The explosive materials were actually received by the investigators from the Cooperative Witness on September 6, 1995, soon after the receipt of the materials from Coon by the Cooperative Witness.)

The above information is true and correct to the best of my knowledge, information and belief.



J. C. Rafferty
Special Agent, FBI

Sworn and subscribed to before me this 9th day of October, 1996.



United States Magistrate Judge